

11/14/00
JC572 U.S. PTO

12-15-00

A

Practitioner's Docket No. 65506-0040 (00-TRN-005)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

JC841 U.S. PTO
09/736232
12/14/00

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of
Inventor(s): **Scott A. Sirrine**

For (title): **DRIVELINE ANGLE ANALYZER**

1. Type of Application

This new application is for a(n)

- ☒ Original (nonprovisional)
☐ Design
☐ Plant
☐ Divisional.
☐ Continuation.
☐ Continuation-in-part (C-I-P).

2. Benefit of Prior U.S. Application(s) (35 U.S.C. 119(e), 120, or 121)

☐ The new application being transmitted claims the benefit of prior U.S. application(s).
Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE
BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

CERTIFICATION UNDER 37 C.F.R. 1.10*

(Express Mail label number is mandatory.)

(Express Mail certification is optional.)

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on this date **December 14, 2000**, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number **EL 489 898 693 US**, addressed to the: Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

Janice E. Laurro

(type or print name of person mailing paper)

Janice E. Laurro
Signature of person mailing paper

3. **Papers Enclosed**

A. Required for Filing Date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application

23 Pages of Specification

04 Pages of Claims

18 Sheets of Drawing

☐ Formal

☒ Informal

☐ The enclosed drawing(s) are photograph(s), and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 C.F.R. § 1.84(b).

B. Other Papers Enclosed

02 Pages of declaration and power of attorney

01 Pages of Abstract

 Other

4. **Additional Papers Enclosed**

☐ Amendment to claims

☐ Cancel in this applications claims _____ before calculating the filing fee.
(At least one original independent claim must be retained for filing purposes.)

☐ Add the claims shown on the attached amendment. (Claims added have been numbered consecutively following the highest numbered original claims.)

☐ Preliminary Amendment

☐ Information Disclosure Statement (37 C.F.R. § 1.98)

☐ Form PTO-1449 (PTO/SB/08A and 08B)

☐ Citations

☐ Declaration of Biological Deposit

☐ Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

☐ Authorization of Attorney(s) to Accept and Follow Instructions from Representative

☐ Special Comments

☒ Request and Certification Under 35 U.S.C. 112(b)(2)(B)(i)

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5. **Declaration or Oath (including power of attorney)**

- ☒ Enclosed
Executed by
☒ inventor(s).
☐ legal representative of inventor(s). 37 C.F.R. § 1.42 or 1.43.
☐ joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.
☐ This is the petition required by 37 C.F.R. § 1.47 and the statement required by 37 C.F.R. § 1.47 is also attached. See item 13 below for fee.
- ☐ Not Enclosed.
☐ Application is made by a person authorized under 37 C.F.R. 1.41(c) on behalf of *all* the above named inventor(s).
☐ Showing that the filing is authorized.
(not required unless called into question. 37 C.F.R. § 1.41(d))

6. **Inventorship Statement**

The inventorship for all the claims in this application are:

- ☐ The same.
- or**
- ☐ Not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,
☐ is submitted.
☐ will be submitted.

7. **Language**

- ☒ English
☐ Non-English
☐ The attached translation includes a statement that the translation is accurate. 37 C.F.R. § 1.52(d).

8. **Assignment**

- ☒ An assignment of the invention to **Eaton Corporation**
☒ is attached. A separate ☒ "COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" or []
☐ FORM PTO 1595 is also attached.
☐ will follow.

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9. **Certified Copy**

Certified copy(ies) of application(s)

| | | |
|---------|------------|-------|
| country | appln. no. | filed |
| country | appln. no. | filed |
| country | appln. no. | filed |

from which priority is claimed

- ☐ is (are) attached.
☐ will follow.

10. **Fee Calculation** (37 C.F.R. § 1.16)

A. ☒ Regular application

| CLAIMS AS FILED | | | |
|---|---|-------------|--|
| Number Filed | Number Extra | Rate | Basic Fee 37 CFR 1.16(a) \$ 710.00 |
| Total Claims (37 CFR 1.16(c)) | 16 -20 = 0 | X \$ 18.00 | |
| Independent Claims (37 CFR 1.16(b)) | 03 - 3 = 0 | X \$ 80.00 | |
| Multiple dependent claims, if any, (37 CFR 1.16(d)) | | X \$ 270.00 | |
| <input type="checkbox"/> | Amendment cancelling extra claims is enclosed. | | |
| <input type="checkbox"/> | Amendment deleting multiple-dependencies is enclosed. | | |
| <input type="checkbox"/> | Fee for extra claims is not being paid at this time. | | |

Filing Fee Calculation \$ 710.00

B. ☐ Design application
(\$320.00—37 C.F.R. § 1.16(f))

Filing Fee Calculation \$ _____

C. ☐ Plant application
(\$490.00—37 C.F.R. § 1.16(g))

Filing Fee Calculation \$ _____

00736231.121400

11. **Small Entity Statement(s)**

☐ Statement(s) that this is a filing by a small entity under 37 C.F.R. §§ 1.9 and 1.27 is (are) attached.

☐ Status as a small entity was claimed in prior application _____, filed on _____ from which benefit is being claimed for this application under:
35 U.S.C. § ☐ 119(e),
☐ 120,
☐ 121,
☐ 365(c),

and which status as a small entity is still proper and desired.

☐ A copy of the statement in the prior application is included.

Filing Fee Calculation (50% of A, B or C above) \$ _____

12. **Request for International-Type Search (37 C.F.R. § 1.104(d))**

☐ Please prepare an international-type search report for this application at the time when national examination on the merits takes place.

13. **Fee Payment Being Made at This Time**

☐ Not Enclosed

☐ No filing fee is to be paid at this time.

(This and the surcharge required by 37 C.F.R. § 1.16(e) can be paid subsequently.)

☒ Enclosed

☒ Filing fee \$ 710.00

☒ Recording assignment (\$40.00; 37 C.F.R. § 1.21(h))
(See attached "COVER SHEET FOR
ASSIGNMENT ACCOMPANYING NEW
APPLICATION.") \$ 40.00

☐ Petition fee for filing by other than all the inventors
or person on behalf of the inventor where inventor
refused to sign or cannot be reached
(\$130.00; 37 C.F.R. §§ 1.47 and 1.17(i)) \$ _____

☐ For processing an application with a
specification in a non-English language
(\$130.00; 37 C.F.R. §§ 1.52(d) and 1.17(k)) \$ _____

☐ Processing and retention fee
(\$130.00; 37 C.F.R. §§ 1.53(d) and 1.21(l)) \$ _____

☐ Fee for international-type search report
(\$40.00; 37 C.F.R. § 1.21(e)) \$ _____

Total Fees Enclosed \$ 750.00

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14. **Method of Payment of Fees**

- ☐ Check in the amount of \$ _____.
- ☒ Charge Account No. **18-0013** in the amount of \$ **750.00**.
- A duplicate of this transmittal is attached.

15. **Authorization to Charge Additional Fees**

- ☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. **18-0013**.
- ☒ 37 C.F.R. § 1.16(a), (f) or (g) (filing fees)
- ☒ 37 C.F.R. § 1.16(b), (c) and (d) (presentation of extra claims)
- ☒ 37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
- ☒ 37 C.F.R. § 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a).
- ☒ 37 C.F.R. § 1.17 (application processing fees)
- ☐ 37 C.F.R. § 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b))

16. **Instructions as to Overpayment**

- ☒ Credit Account No. **18-0013**.
- ☐ Refund.

Date: 12-A-00

Reg. No. 39,464

Reg. No. 36,018

Tel. No.: (248) 594-0624

Customer No. 010291

Michael B. Stewart

SIGNATURE OF PRACTITIONER

Peter J. Rashid, Esq.

Michael B. Stewart, Esq.

RADER, FISHMAN & GRAUER PLLC

39533 Woodward Avenue,

Suite 140

Bloomfield Hills, Michigan 48304

☐ **Incorporation by reference of added pages**

- ☐ Plus Added Pages for New Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed

Number of pages added _____

- ☒ Plus Added Pages for Papers Referred to in Item 4 Above

Number of pages added 01

- ☐ Plus added pages deleting names of inventor(s) named on prior application(s) who is/are no longer inventor(s) of the subject matter claimed in this application.

Number of pages added _____

- ☐ Plus "Assignment Cover Letter Accompanying New Application"

Number of pages added 03

☒ **Statement Where No Further Pages Added**

- ☒ This transmittal ends with this page.

R0100412

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Attorney Docket No. 65816-0001

Express Mail Label No. EL 429 915 108 US

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Scott A. Sirrine

For (title): DRIVELINE ANGLE ANALYZER

REQUEST AND CERTIFICATION UNDER
35 U.S.C. 112(b)(2)(B)(i)



I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Date: 12-14-00

A handwritten signature in black ink, appearing to read "Michael B. Stat".

(Signature)

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

R0100461

Express Mail Label No.